

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

WEDNESDAY THE ELEVENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

: PRESENT:

THE HON'BLE MR. JUSTICE: **T.CH. SURYA RAO**

CRIMINAL PETITION No. **3484 of 2004**

Between:

Shaik Beebi John (A2)

.. Petitioner/(Accused in

Cr. No. 152/2002 of Dachepalli P.S., Guntur
District

And

The State of A.P rep by Public Prosecutor,
High Court of A.P., Hyderabad

.. Respondent /
Complainant

COUNSEL FOR PETITIONER :

Mr. K. Suresh Reddy

COUNSEL FOR RESPONDENT :

The Public Prosecutor.

Petition under Sections 437 & 439 of Cr. P.C. praying the High Court may be pleased to release her on bail pending enquiry in P.R.C. No14/2004 on the file of II Additional Munsif Magistrate, Guntur and subsequent trial, arising out of Cr. No. 152/2002 of Dachepalli Police Station, Guntur District

The Court made the following :

ORDER :

A perusal of the charge sheet shows that pursuant to conspiracy between A-1 and A-2, A-1 administered the drug in huge quantity so as to kill her by mixing the drug in a soft drink and in the course of the same transaction, A-1 also consumed a part of the said drink and became unconscious. On the next day, the deceased was found to be dead and A-1 was lying in unconscious state. It is quite surprising the investigation officer laid the charge sheet for the offence punishable under Section 304-B IPC, when the very charge sheet reveals that it was a case of homicidal death. Be that as it may, the allegation against the present Petitioner is that she harassed the deceased, since the main overt act has been attributed to A-1 and as the petitioner has been in judicial custody for the last two months as represented by the learned counsel, her request for bail may be considered.

In the result, petition is allowed and the petitioner shall be enlarged on bail on his executing a bond for Rs. 5,000/- (Rupees five thousand only) with two sureties for a like sum each to the satisfaction of II Additional Munsif Magistrate, Guntur.

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The II Additional Munsif Magistrate, Guntur
2. The II Additional Munsif Magistrate, Gurazala, Guntur District
3. The I Additional Sessions Judge, Guntur
4. The Superintendent, District Jail Guntur, Guntur District
5. The S.H.O., Dachepalli Police Station, Guntur District
6. Two CCs to Public Prosecutor, High Court of A.P., Hyderabad. **(OUT)**
7. One CC to Mr. K.Suresh Reddy, Advocate (OPUC)
8. One spare copy.

Skm

HIGH COURT

TCSR,J

DATED : 11-08-2004

BAIL ORDER

Crl. P. No. 3484 of 2004

DIRECTION

HIGH COURT

SKM
DRAFTED ON : 11-08-2004

TCSR,J

DATED: 11-08-2004

ORDER

BAIL

Crl. P. No. 3484 OF 2004

DIRECTION

**RELEASING THE PETITIONER
ON BAIL**